IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.21944 of 2004

Between:

Smt. Dama Ramadevi, W/o Venkateswarlu,
R/o Kandukur, Prakasam District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Kandukur, Prakasam District.
2 The Revenue Divisional Officer, Kandukur, Prakasam District.
3 The District Collector, Ongole, Prakasam District.
4 Smt. Gadde Bharathi, W/o. Krupa Rao,
17th Ward, Pamuru Road, Kanduru Town, Prakasam District.
5 Smt. Upputuri Usharani, W/o. Subba Rao,
Gurramvaripalem, 16th ward, Pamuru Road, Kondukur Town,

Prakasam District.
6 Smt. Tanikonda Lakshmi Rajyam, W/o. Srinivasulu,
Gurramvaripalem, 15th ward, Pamuru Road, Kondukur Town,

Prakasam District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, direction or order more particularly one in the nature of Writ of Mandamus declaring the order passed by the 1st respondent in Rc.No.HA/448/2004, dated 10-11-2004 as the same is illegal, arbitrary and contrary to provisions of A.P. Assigned Lands (Prohibition & Transfer) Act, 1977 and also violative of Articles 14, 21 & 300-A of the Constitution of India.

Counsel for the Petitioner: MR.M.SUBRAHMANYAM

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent Nos.4 to 6: None

The Court at the stage of admission made the following:

ORDER:

Questioning the proceedings of the first respondent-Mandal Revenue Officer in R.C.No.HA/448/2004, dated 10.11.2004 directing the resumption of petitioner's land admeasuring an extent of Ac.0.7 ½ cents in Survey No.874 of Kandukur Town, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

As against the order impugned in this writ petition, passed by the 1st respondent-Mandal Revenue Officer, it is submitted by the learned Government Pleader for Revenue and admitted to by the learned counsel for the petitioner, that an effective alternative remedy by way of appeal is available before the 2nd respondent-Revenue Divisional Officer.

In the circumstances, the writ petition is disposed of with the following directions:

The petitioner may avail the effective alternative remedy of appeal available to her against the impugned order passed by the 1st respondent, before the 2nd respondent-Revenue Divisional Officer within a period of six (6) weeks from today. Till then there shall be interim stay of the impugned order. No costs.

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(N.V. RAMANA, J)

Date: 07.12.2004

Note:

Wire at party's cost

(BO)

Nsr

To

1 The Mandal Revenue Officer, Kandukur, Prakasam District.
2 The Revenue Divisional Officer, Kandukur, Prakasam District.
3 The District Collector, Ongole, Prakasam District.
4 Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

5 Two CD copies.